

From: John Hermes
To: Microsoft ATR
Date: 12/10/01 9:45am
Subject: Microsoft Settlement

Dear Comments Reviewer,

As a software professional responsible for the IT infrastructure for a small company and several external clients, I can say that I was truly stunned by the DOJ settlement with Microsoft. I want to relate my deep concerns, and how I have been affected by Microsoft's behavior over the last decade.

I have personally experienced the effects of unreasonable burdens caused by Microsoft's policies to not just compete, but instead remove competitors from the marketplace by any means necessary.

For several years as a former user of OS/2, I witnessed how IBM, a legal licensee of the Windows OS, repeatedly accommodated Microsoft's changes to their APIs, only to have new incompatibilities introduced through new features including Win32s and FAT32. Wherever Microsoft had options when designing a new feature, I watched them choose whatever method that most negatively impacted compatibility with rivals. It was so obvious to those of us who develop software for a living. You see, I counted on OS/2 for the ability to develop Windows software in one session, while testing in another. This enhanced my productivity then, because a crashed program on a Windows box required a complete reboot (and lost time and data), but under OS/2, the separate development environment (running Windows tools and compilers) remained stable and available.

Now the company I work for depends on Open Source operating systems for serving our needs. Certainly, we have Windows clients, but up to now the Open Source projects have been able to remain wire-compatible, even as Microsoft tries to corrupt standard protocols like Kerberos and SMB/CIFS.

The language of the proposed settlement disturbs me, because Microsoft has introduced language which completely discounts "non-business" entities which perfectly describe Open Source projects and operating systems. Open Source has grown so rapidly in part as a response to Microsoft's offerings, in order to provide an alternative to their products. These alternatives are sorely needed, as highlighted by the high costs and constant security problems in Windows software. I fear this settlement language is deliberate, and will be used to undermine or destroy volunteer efforts to provide needed computer solutions where commercial alternatives are not sufficient or do not exist.

Going forward, Microsoft is applying their dominance to the Internet through their new .NET initiative. If they are successful in chaining free and open network protocols to their proprietary platform, those of us most interested in interoperability and open standards will suffer most. Please reconsider the settlement and remove language hostile to non-business entities. Microsoft is a monopoly. Please don't allow them to continue to act like one.

Very truly yours,

John S. Hermes
Principal Systems Engineer
Infoglobe, Inc
1 Edmund St
Dayton, OH 45404

John Hermes
Systems Engineer
Infoglobe, Inc